

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1250 be amended to read as follows:

- 1 Page 8, between lines 27 and 28, begin a new paragraph and insert:
- 2 "SECTION 9. IC 7.1-3-5-3 IS AMENDED TO READ AS
- 3 FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 3. (a) The holder of a
- 4 beer dealer's permit shall be entitled to purchase beer for sale under the
- 5 permit only from a permittee entitled to sell to a beer dealer under this
- 6 title.
- 7 (b) A beer dealer shall be entitled to possess beer and sell it at retail
- 8 to a customer in permissible containers only.
- 9 (c) A beer dealer may not sell beer by the drink nor for consumption
- 10 on the licensed premises nor shall a beer dealer allow it to be consumed
- 11 on the licensed premises.
- 12 (d) Except as provided in subsection (e), a beer dealer shall be
- 13 entitled to sell beer to a customer **in a designated area separated from**
- 14 **the area where nonalcoholic retail merchandise is sold, and to**
- 15 **deliver it in permissible containers to the customer on the licensed**
- 16 **premises, or to the customer's residence or office. A minor may not**
- 17 **enter the designated area, unless the minor is accompanied by a**
- 18 **parent or guardian who is at least twenty-one (21) years of age. The**
- 19 **designated area shall be monitored by an employee who, as part of**
- 20 **the employee's job responsibilities, shall ensure that a minor does**
- 21 **not enter the designated area, unless the minor is accompanied by**
- 22 **a parent or guardian who is at least twenty-one (21) years of age.**
- 23 A beer dealer shall not be entitled to sell and deliver beer on the street
- 24 or at the curb outside the licensed premises, nor shall a beer dealer be
- 25 entitled to sell beer at a place other than the licensed premises. A beer

dealer shall not be entitled to sell beer and deliver beer for carry-out, or for delivery to a customer's residence or office, in a quantity that exceeds eight hundred sixty-four (864) ounces in a single transaction. However, notwithstanding IC 7.1-5-10-11, a beer dealer who is licensed pursuant to IC 7.1-3-10-4 shall be entitled to sell and deliver warm or cold beer for carry-out, or for delivery to a customer's residence, office, or a designated location in barrels or other commercial containers that do not exceed two thousand sixteen (2,016) ounces per container. This delivery may only be performed by the permit holder or an employee who holds an employee permit. The permit holder shall maintain a written record of each delivery for at least one (1) year that shows the customer's name, location of delivery, and quantity sold.

(e) Unless a beer dealer is a grocery store or drug store, a beer dealer may not sell or deliver alcoholic beverages or any other item through a window in the licensed premises to a patron who is outside the licensed premises. A beer dealer that is a grocery store or drug store may sell any item except alcoholic beverages through a window in the licensed premises to a patron who is outside the licensed premises."

Page 9, between lines 8 and 9, begin a new paragraph and insert:

"SECTION 12. IC 7.1-3-10-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 7. (a) The holder of a liquor dealer's permit shall be entitled to purchase liquor only from a permittee entitled to sell to a liquor dealer under this title.

(b) A liquor dealer shall be entitled to possess liquor and sell it at retail in its original package, **in a designated area separated from the area where nonalcoholic retail merchandise is sold**, to a customer only for consumption off the licensed premises. **A minor may not enter the designated area, unless the minor is accompanied by a parent or guardian who is at least twenty-one (21) years of age. The designated area shall be monitored by an employee who, as part of the employee's job responsibilities, shall ensure that a minor does not enter the designated area, unless the minor is accompanied by a parent or guardian who is at least twenty-one (21) years of age.**

(c) A liquor dealer may deliver liquor only in permissible containers to a customer's residence or office in a quantity that does not exceed twelve (12) quarts at any one (1) time. However, a liquor dealer who is licensed under IC 7.1-3-10-4 may deliver liquor in permissible containers to a customer's residence, office, or designated location. This delivery may only be performed by the permit holder or an employee who holds an employee permit. The permit holder shall maintain a written record of each delivery for at least one (1) year that shows the customer's name, location of delivery, and quantity sold.

(d) A liquor dealer may not sell or deliver alcoholic beverages or any other item through a window in the licensed premises to a patron who is outside the licensed premises. However, a liquor dealer that is a drug store may sell prescription drugs and health and beauty aids

1 through a window in the licensed premises to a patron who is outside
2 the licensed premises."

3 Page 9, delete lines 9 through 35.

4 Page 10, between lines 7 and 8, begin a new paragraph and insert:

5 "SECTION 14. IC 7.1-3-15-3 IS AMENDED TO READ AS
6 FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 3. (a) The holder of a
7 wine dealer's permit shall be entitled to purchase wine only from a
8 permittee who is authorized to sell to a wine dealer under this title. A
9 wine dealer shall be entitled to sell wine, **in a designated area**
10 **separated from the area where nonalcoholic retail merchandise is**
11 **sold**, for consumption off the licensed premises only and not by the
12 drink. **A minor may not enter the designated area, unless the minor**
13 **is accompanied by a parent or guardian who is at least twenty-one**
14 **(21) years of age. The designated area shall be monitored by an**
15 **employee who, as part of the employee's job responsibilities, shall**
16 **ensure that a minor does not enter the designated area, unless the**
17 **minor is accompanied by a parent or guardian who is at least**
18 **twenty-one (21) years of age.**

19 (b) A wine dealer shall be entitled to sell wine in permissible
20 containers in a quantity of not more than three (3) standard cases, as
21 determined under the rules of the commission, in a single transaction.
22 However, a wine dealer who is licensed under IC 7.1-3-10-4 may
23 possess wine and sell it at retail in its original package to a customer
24 only for consumption off the licensed premises.

25 (c) Unless a wine dealer is a grocery store or drug store, a wine
26 dealer may not sell or deliver alcoholic beverages or any other item
27 through a window in the licensed premises to a patron who is outside
28 the licensed premises. A wine dealer that is a grocery store or drug
29 store may sell any item except alcoholic beverages through a window
30 in the licensed premises to a person who is outside the licensed
31 premises.

32 (d) However, a wine dealer who is licensed under IC 7.1-3-10-4 may
33 deliver wine only in permissible containers to a customer's residence,
34 office, or designated location. This delivery may only be performed by
35 the permit holder or an employee who holds an employee permit. The

1 permit holder shall maintain a written record of each delivery for at
2 least one (1) year that shows the customer's name, location of delivery,
3 and quantity sold."

4 Renumber all SECTIONS consecutively.

(Reference is to HB 1250, Printer's Error, as printed January 26,
2006.)

Representative Burton